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**MANNING & KASS  
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Attorneys for Defendant

KOHL'S DEPARTMENT STORES

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

MANUELA MATIAS CHAVEZ,

Plaintiff,

v.

KOHL'S DEPARTMENT STORES,  
INC., a corporation; and DOES 1  
through 10, inclusive,

Defendants.

Case No.

**DEFENDANT KOHL'S  
DEPARTMENT STORES' NOTICE  
OF REMOVAL OF ACTION  
UNDER 28 U.S.C. §1441(b);  
DEMAND FOR JURY TRIAL**

Action Filed: 11/07/2018

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that Defendant Kohl's Department Stores, Inc.,  
hereby removes to this Court the State Court action described below:

1. On November 7, 2018, Plaintiff Manuela Matias Chavez filed this action in the Superior Court of the State of California, County of Monterey, as Case No. 18CV004256. A true and correct copy of the summons and complaint are attached hereto as Exhibit "A."
2. On December 14, 2018, Defendant Kohl's Department Stores, Inc., filed its answer to the complaint. A true and correct copy of the answer is attached hereto as Exhibit "B."
3. On January 22, 2019, Plaintiff served her Statement of Damages on Defendant. A true and correct copy of the Statement of Damages is attached hereto

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ATTORNEYS AT LAW

1 as Exhibit "C."

2 4. This action is a civil action of which this Court has original jurisdiction under  
3 28 U.S.C. §1332, and is one which may be removed to this Court by Defendant  
4 Kohl's, pursuant to the provisions of 28 U.S.C. §1441, in that it is a civil action  
5 between citizens of different states and the matter in controversy exceeds the sum of  
6 \$75,000, exclusive of interest and costs.

7 5. Diversity of the parties exists as Plaintiff Manuela Matias Chavez is a citizen  
8 of the State of California. (See Complaint, p. 1:21-22)

9 6. Defendant Kohl's is a Delaware corporation with its principal place of  
10 business in Menomonee Falls, WI.

11 7. In Plaintiff's Statement of Damages, she asserts general damages of \$250,000  
12 and special damages of \$51,000.

13 8. Thus, the amount in controversy in this action exceeds the \$75,000  
14 jurisdictional limit established by 28 U.S.C. §1332(a).

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16 DATED: January 29, 2019

**MANNING & KASS  
ELLROD, RAMIREZ, TRESTER LLP**

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19 By:   
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21 Jeffrey M. Lenkov, Esq.  
22 Attorneys for Defendant, KOHL'S  
23 DEPARTMENT STORES, INC.  
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## DECLARATION OF ROBERT P. WARGO

I, Robert P. Wargo, declare that:

1. I am an attorney at law duly licensed to practice before this Court and all of the courts of the State of California. I am Senior Counsel at Manning & Kass, Ellrod, Ramirez, Trester LLP, the attorneys for Defendant Kohl's Department Stores, Inc., in this action. If called upon to do so, I could and would testify to the following from my personal knowledge, except as to those matters stated on information and belief, as to which I believe them to be true.

2. On November 7, 2018, Plaintiff Manuela Matias Chavez filed this action in the Superior Court of the State of California, County of Monterey, as Case No. 18CV004256. A true and correct copy of the summons and complaint are attached hereto as Exhibit "A."

3. On December 14, 2018, Defendant Kohl's Department Stores, Inc., filed its answer to the complaint. A true and correct copy of the answer is attached hereto as Exhibit "B."

4. On January 22, 2019, Plaintiff served her Statement of Damages on Defendant. A true and correct copy of the Statement of Damages is attached hereto as Exhibit "C."

5. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. §1332, and is one which may be removed to this Court by Defendant Kohl's, pursuant to the provisions of 28 U.S.C. §1441, in that it is a civil action between citizens of different states and the matter in controversy exceeds the sum of \$75,000, exclusive of interest and costs.

6. Diversity of the parties exists as Plaintiff Manuela Matias Chavez is a citizen of the State of California. (See Complaint, p. 1:21-22)

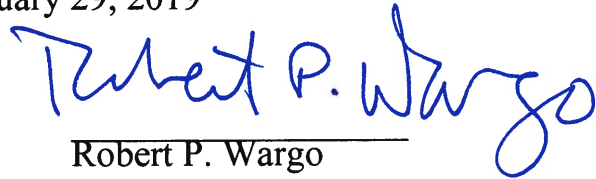
7. Defendant Kohl's is a Delaware corporation with its principal place of business in Menomonee Falls, WI.

8. In Plaintiff's Statement of Damages, she asserts general damages of \$250,000

1 and special damages of \$51,000.

2 9. Thus, the amount in controversy in this action exceeds the \$75,000  
3 jurisdictional limit established by 28 U.S.C. §1332(a).

4 I declare under penalty of perjury under the laws of the United States of  
5 America that the foregoing is true and correct and that this declaration was executed  
6 at Los Angeles, California on January 29, 2019

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9 Robert P. Wargo

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**DEMAND FOR JURY TRIAL**

Defendant KOHL'S DEPARTMENT STORES, INC., hereby demands trial  
of this matter by jury.

DATED: January 29, 2019

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ELLROD, RAMIREZ, TRESTER LLP**

By: 

Jeffrey M. Lenkov, Esq.  
Attorneys for Defendant, KOHL'S  
DEPARTMENT STORES, INC.

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